



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,961	02/25/2004	David R. Clark	555255012729	4125
89441	7590	03/26/2010	EXAMINER	
Jones Day (RIM) - 2N North Point 901 Lakeside Avenue Cleveland, OH 44114			ADDY, ANTHONY S	
ART UNIT	PAPER NUMBER	2617		
NOTIFICATION DATE	DELIVERY MODE	03/26/2010 ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dlpejeau@jonesday.com  
portfolio@rim.com

**Advisory ACTION*****Response to Arguments***

Applicant's arguments filed on March 16, 2010 have been fully considered but they are not persuasive.

In response to applicant's argument that "the combination of Vasudevan, Mathur, Okonnen and Cheng fails to disclose, teach, or suggest, upon determining that the update resource is stored in the mobile device memory during an initialization of the mobile device, prompting a mobile device user to select between the baseline mobile device configuration and the updated mobile device configuration (see page 9, third paragraph and page 10, first paragraph of the response)," examiner respectfully disagrees and maintains that the combination of Vasudevan, Mathur, Okonnen and Cheng meets the limitations as claimed. Examiner respectfully reiterates that Okonnen explicitly teaches updating software/firmware in a mobile handset, wherein the mobile handset may display a list of available update agents to an end-user and solicit selection of an update agent to be used to update at least one of software and firmware (see p. 4 [0055]). According to Okonnen, the mobile handset may detect an update to firmware/software when the mobile handset powers up or is rebooted (*i.e., reads on the initialization of a mobile device as claimed*), and the mobile handset may determine the list of available and provisioned update agents to display to the end-user to allow the end-user to select one of the update agents to perform an update (see p. 4 [0057-0058]). Okonnen further teaches based on the selection by the end-user, an update to a particular firmware, software, hardware configuration, etc., in the mobile handset is performed (see p. 4 [0058-0059]), however, fails to teach prompting a mobile device user to select the baseline mobile

device configuration during an initialization of the mobile device, and maintains that it is because of this fact that Cheng is cited as the fourth reference in the U.S.C. 103(a) rejections. Cheng clearly meets the above limitations missing in the combination of Vasudevan, Mathur and Okonen, since Cheng teaches at some subsequent point, a user may decide and may use a recovery feature of a client application to undo a previous software installation , for example due to dissatisfaction with the software product (see p. 5 [0061]). According to Cheng, the user interface includes a field indicating the previous update to be removed as selected by the user, along with an information window describing the software update, and the user confirms the removal of the software update by selecting the undo button (see p. 5 [0061]). Cheng further teaches using the archived information created by the install monitor during installation of the product, the client computer is restored to its configuration immediately before the installation of the product (see p. 5 [0061]). Hence, it is clear Cheng teaches a user through a user interface may select between the baseline mobile device configuration (i.e., an original configuration before an update) and the updated mobile device configuration (i.e., the software update), therefore the combination of Vasudevan, Mathur, Okonen and Cheng meets the claimed limitations of “upon determining that the update resource is stored in the mobile device memory during an initialization of the mobile device, prompting a mobile device user to select between the baseline mobile device configuration and the updated mobile device configuration.”

